S.B.CRIMINAL MISC. BAIL APPLICATION NO.5960/2007
(Devaram vs. State of Rajasthan)

DATE OF ORDER : December 07, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.C.S.Bissa, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned. I have gone through the statement of the prosecutrix recorded by the Judicial Magistrate under section 164 Cr.P.C.

The allegations are against co-accused Babu Lal, Sampat Lal and Jayanti Lal and so far petitioner is concerned, the prosecutrix stated that he was not seen by her at Manglore.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by learned counsel for the parties, I consider it just and proper to grant anticipatory bail to the petitioner.

Accordingly, the bail application filed by petitioner under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Devaram s/o Heeralal in FIR No.79/2007,

Police Station, Falna, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-